

## **ADMINISTRATIVE AGENDA**

**November 17, 2010**

### **Chief Justice Update**

#### **Item Passed from 10/20/10 Agenda (from the 9/15/10 Public Hearing):**

1. 2010-08      **Subject:** Proposed Rescission of Administrative Order No. 2003-7 and Proposed Adoption of New Administrative Order regarding the Caseflow Management Guidelines.  
**Issue:** *Whether to adopt a new proposed administrative order that would replace Administrative Order No. 2003-7 and would update caseflow management guidelines.*  
**Status:** Court passed from 9/15/10 administrative conference that followed the public hearing and also passed from the 10/20/10 administrative conference.

#### **Other Items Passed from the 10/20/10 Agenda:**

2. 2005-11      **Subject:** Proposed Amendment of Code of Judicial Conduct.  
**Issue:** *Whether the Court should publish for comment amendments that would clarify the circumstances under which a judge could participate in fundraising activities.*  
**Status:** Passed from 10/20/10 administrative conference.
3. 2007-14      **Subject:** Whether the Michigan Court Rules should allow substitution of parties in MCR 2.118.  
**Issue:** *Whether to publish for comment a proposed amendment that would allow substitution of parties.*  
**Status:** Passed from 10/20/10 administrative conference.

#### **Other Administrative Items:**

4. 2007-18      **Subject:** Proposed Amendment of Rule 2.117 of the Michigan Court Rules (*Seyburn v Bakshi*, 483 Mich 345 [2009]).  
**Issue:** *Whether to publish a proposed amendment of MCR 2.117(C) to determine when attorney representation ends by providing that an attorney-client relationship continues until a final judgment is reached and the period allowed to appeal*

*by right has expired unless the attorney discontinued the relationship before that time. The proposed language also would provide that follow-up or ministerial actions performed by the attorney following notice of termination are not considered an extension of the attorney-client relationship.*

**Status:** Awaiting conference consideration.

5. 2008-10

**Subject:** Proposed Amendment of Rules 6.425 and 7.210 of the Michigan Court Rules (Deviation from Sentencing Guidelines)

**Issue:** *Whether to publish for comment a proposed amendment of MCR 6.425(D)(1) that would reinstate the requirement that a judge state in writing reasons for departure from the sentencing guidelines. Whether to publish for comment a proposed amendment of MCR 7.210 to include in the record on appeal a sentencing guideline departure form prepared by the court.*

**Status:** Awaiting conference consideration.

6. 2008-11

**Subject:** Proposed Amendment of Rule 2.507 of the Michigan Court Rules.

**Issue:** *Whether to publish for comment a proposed amendment of MCR 2.507(G) that would clarify that agreements between parties or their attorneys must be in writing or made on the record to be binding.*

**Status:** Awaiting conference consideration.

7. 2008-18

**Subject:** Proposed Amendment of Rule 3.501 of the Michigan Court Rules (*Hill v City of Warren*, 480 Mich 1195 [2008]).

**Issue:** *Whether to amend MCR 3.501(B) to create an explicit requirement that a change in circumstances must have occurred to allow a party to file a supplemental motion for certification of a class, and the motion must be filed within 21 days of the party's knowledge of the changed circumstances.*

**Status:** Awaiting conference consideration.

8. 2008-27

**Subject:** Proposed Amendments of Rule 2.420 and Rule 8.121 of the Michigan Court Rules.

**Issue:** *Whether to amend MCR 8.121(C)(1) to define the phrase "all disbursements properly chargeable to the enforcement of the claim or prosecution of the action."*

*Whether to amend MCR 2.420 to clarify issues regarding approval of a fee by a circuit court.*

**Status:** Awaiting conference consideration.

9. 2008-32

**Subject:** Proposed Amendments of Rule 2.203 of the Michigan Court Rules.

**Issue:** *Whether to revise MCR 2.203 to require a court clerk to issue a summons when counterclaims or cross-claims are filed and to establish an expiration date identical to the expiration date of summonses issued when a third party is added to an existing case.*

**Status:** Awaiting conference consideration.

10. 2008-42

**Subject:** Proposed Amendment of Rule 8.120 of the Michigan Court Rules (opened from CR conference that discussed *People v Kramp*, Docket No. 137002).

**Issue:** *Whether a criminal defendant should be required to acknowledge on the record that he or she is receiving representation from a law student. Because newly-approved amendments in ADM File No. 2009-25 require an indigent defendant to consent in writing to law student representation, this issue is resolved.*

**Status:** Awaiting conference consideration.

11. 2010-30

**Subject:** Proposed Amendments of Rules 2.403, 2.411, and 3.216 of the Michigan Court Rules and Proposed New Rule 2.412.

**Issue:** *Whether to publish for comment proposed amendments of MCR 2.403, 2.411, and 3.216 and proposed new MCR 2.412 to consolidate the mediation confidentiality provisions.*

**Status:** Awaiting conference consideration.